



Salisbury Conservation Commission
September 2, 2015
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (SA), David Arel (DA), Jane Purinton (JKP) and Matt Carignan (MC)

COMMISSIONER MEMBERS ABSENT: Andria Nemoda, Jennifer Troisi and Joanne Perreault

ALSO PRESENT: Michelle Rowden, Conservation Agent, Lori Robertson, Secretary

S. Albertelli opened the meeting at 7:10 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

Emergency Certificate: SA stated we issued an emergency certificate for DCR for the small cottage that burned down. For public safety reasons it needs to come down. We need a motion to add it to the agenda. MC asked what the address was. MR stated 218 Beach Road.

MC motioned to add the emergency certificate for 218 Beach Road to the agenda. DA seconded the motion. All members present voted in favor. **Motion Passed.**

MC motioned to ratify the emergency certificate for 218 Beach Road. SA seconded the motion. All members present voted in favor. **Motion Passed.**

MINUTES:
August 5, 2015

JKP motions to accept the minutes of the August 5, 2015 meeting. DA seconded the motion. Vote on motion 3 – 0 (1 abstained MC). **Motion Passed.**

PUBLIC HEARINGS at 7:15 pm:

NOI: James Crooks, 16 CCC Road:

JKP motioned to continue James Crooks, 16 CCC Road until the October 7, 2015 meeting at 7:10 pm. MC seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: James Whittaker, 100 Main Street: James Whittaker (JW) addressed the board. Two meetings ago we were postponed for a lack of DEP #. We have received that now. At the last meeting we went over everything with Doug Smith, soil engineer. SA stated the property will no longer be in agricultural use, will the existing mowed lawn area, even inside the wetland, remain mowed? JW stated it's whatever you decide. I have lived there 35 years and it always has been mowed. JKP stated maybe you could mow twice a year and let it be a wet meadow? JW stated that's fine. I usually hay twice a year. SA stated there is a willow tree that is being overtaken with poison ivy. JW stated that tree is not coming down. It has been there for 200 years.

MC motioned to approve the NOI for James Whittaker, 100 Main Street.

JKP asked if the motion could stipulate mowing only twice a year. **MC** stated the motion as is right now. **SA** asked is there a second. Discussion about haying twice a year.

MC stated I withdraw my motion.
No abutters present.

JKP motions to approve the NOI for James Whittaker, 100 Main Street with the condition 1. The wetland portion of the property is to be mowed no more than twice a year. So, that the land maybe reverted a wet meadow. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Lawrence Jordan, 5 Palis Drive: Jim Scanlon (JS) addressed the board on behalf of the applicant. At the last hearing we were waiting for a DEP #. We received that.

MC motions to approve the NOI for Lawrence Jordan, 5 Palis Drive. **DA** seconded the motion. All members present voted in favor. **Motion Passed.**

RDA: George and Felicia Azzi, 6 18th Street W: Tom Hughes (TH) addressed the board on behalf of the applicant. Went over photos attached to RDA. We will be removing CMU block walls that were installed to turn entry way into a closet. The existing ramp and platform that is used for handicapped access will be extended 2-3' to line up with existing piling this is being done as part of a settlement of outstanding issues related to work done on the home without building permits, and as part of a prior agreement with the Conservation Commission. **SA** gave a quick overview of the enforcement order. **DA** asked if the ramp would be permanent. **TH** stated as long as this home needs handicapped access will be how long it will be there. **SA** asked how the cinder blocks will be removed. **TH** stated sledge hammer. **DA** asked if there was a footing under the block. **TH** stated a little bit of concrete. **SA** asked about sand being brought in. **TH** stated I will go down and if they have to bring in a bit of sand we will do that.

JKP motions to issue a negative determination with the condition 1. If sand needs to be brought in it must be compatible sand. 2. Hand tools and debris will be removed. **DA** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Ameresco d/b/a Mass Solar Highway LLC, 105 Rabbit Road: Jules Williams of Mass Department of Transportation addressed the board. We are here tonight looking to add solar panels to 105 Rabbit Road. Robert Bukowski (RB), Amec Foster and Wheeler Engineering addressed the board on behalf of the applicant. Currently the site is used for DOT maintenance. The solar PV array is proposed to cover 2.3 acres of the 10.4 acre site. The proposal is to remove the trees within the buffer zone of the wetlands. **SA** stated we received a letter from Joe Serwatka who reviewed the site. We have already done a solar park in this area and there was a lot of damage. I would like to see Joe Serwatka do a storm water calculation. I would like Mary Rimmer do a peer review of the wetland flag. I would like Joe's comments addressed also. **RB** stated the comments are pretty straight forward.

Lance Wisniewski (LW), 2nd Street addressed the board. I understand the issue of underbrush under the panels but I am curious if there is anything that can be planted that will promote more ecological diversity and allow a more natural environment. **RB** stated you want to stabilize the site as soon as possible or there will be a potential for erosion. **SA** stated we can Mary Rimmer address that also.

DA stated can you expand on the issue of the state buying properties and building these PV-arrays. Applicant, the state is reducing greenhouse gas emissions by 80% by 2050. IT also has a financial benefit for the Commonwealth. There is no upfront cost and those fall on Ameresco. **DA** asked Ameresco will own the equipment. Applicant yes. **DA** asked how long the agreement is. **RB** stated 20 years and after 20 years there is option for extension of 5 years. **DA** asked what happens to all the

equipment if Ameresco and the state part ways. Joe Lindsay (JL) of Ameresco the system will be decommissioned.

SA stated the review from Joe Serwatka and Mary Rimmer is at the expense of the applicant. **RB** stated since we are not proposing any BMPs we plan on coming up with a response to his memo. If you want to wait and see if he is satisfied with the comments. I'm not sure of the benefit of him running the same calculations. **MR** stated he would review what you already did. **MC** asked why in Salisbury. **JL** stated we did a canvassing process and what MassDOT would be preferable. Many variables. **MC** asked how would they be anchored to the ground. **JL** stated it's a screw post. **MC** asked about the soil being dug up. Will it be redistributed throughout the site. **RB** stated it will be minimal. **DA** asked how much of the 2.3 acres would need to be cut and effect into the wetlands. **RB** stated 2.3 acres is the footprint of the array. It will go beyond that area for clearing.

No abutters present.

DA motions to continue the NOI Ameresco d/b/a Mass Solar Highway LLC, 105 Rabbit Road until the September 16, 2015 meeting at 7:10 pm. With the condition 1. For the peer review. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Significance of Change, 233 Beach Road: Joe Corinadi (JC) of Jones and Beach Engineers addressed the board on behalf of the applicant. We sent the plans to Joe Serwatka for review. I spoke with Joe on the phone today. The first concern he had was asbuilt grades provided show that Beatrice Street, also the site driveway, was installed 0.3-0.4' lower than approved. We talked about the property line between Beatrice Street and the motel. The edge of pavement is 5' away. We have to remove the asphalt and between Beatrice Street and the property line and then we will repave that 5' strip. **SA** stated it looks like Joe is not in agreement with that. **JC** stated that is part of the reason why I called him. (went over grading plan) It will be a flushed paved area. We will have to lower the road to get the water moving. The second issue Joe agrees that it will work he just wants to see more spot grades. The other concern is roof-drains. There are no gutters or roof drains on the existing building but there will be on the new one. The final issue is whether maintenance has occurred since the site was constructed nearly 10 years ago. The plan notes require that the BMP be mowed at least once per year, so the excessive growth should not have occurred. It will be maintained once the proposed building is built. **SA** asked who would be responsible for that? **JC** stated the maintenance company.

DA stated in Joe Serwatka's letter he states the board may also require written permission from the abutter to allow the applicant to perform work on their site. **JC** stated we will not be on the abutter's property. We will work right along the lot line. **DA** stated your changes won't cause puddling on their property. **JC** stated it can't we will be lower. **DA** stated is this just a legality. **JC** stated maybe Joe thinks we will need to do work on the abutters property. Discussion about the concern about Joe Serwatka. **JKP** asked why are we having puddling issues now? **MR** stated the whole project is not complete. **DA** asked about Joe's comment stating I don't believe that the area that puddles will need to be shimmed and paved over as stated by the engineer is a satisfactory solution. **SA** stated in his phone call he used the wrong term shimmed which means to raise it up. Their intent is to lower it. **JC** stated it should say milled. **DA** stated I have a problem with getting a document on September 2, 2015 and we have nothing to substantiate his comment other than you talked to him a 5:00. **JC** stated we are asking for a conditional approval. **DA** asked do you share the entrance. Peter Lee (PL) addressed the board. He stated yes. **JC** stated he is not an owner on Beatrice Street.

MC motioned to issue an insignificance of change for 233 Beach Road with conditions that the applicant successful review of Joe Serwatka's requirements and the applicant satisfy Joe's requirements from the letter dated September 2, 2015. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

SA stated nothing will be issued until all requirements have been met.

Request for Certificate of Compliance, 130 Railroad Avenue: **MR** stated the applicant is not present. I did research and what exists on the site, it appears that 065-434 was the plan that was used to build the addition. The second filing, 065-512, does not appear to match what exists. I recommend issuing a complete certificate of compliance for 065-0434 and an invalid OOC for 065-512.

JKP motion to issue a complete certificate of compliance for 065-0434 and an invalid OOC for 065-512. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Certificate of Compliance, 438 North End Blvd.: **DA** and **MR** did the site visit. Recommend Certificate of Compliance. **DA** asked are we responsible for moving the gas meter up off the ground. **MR** stated Building Department is responsible.

MC motioned to issue a Certificate of compliance for 438 North End Blvd. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Certificate of Compliance, 16 Ocean Street: **MR** and **DA** did the site visit. Allan Naffah (AN) addressed the board. We can't put the landscaping in that was required by the Order of Conditions because it is too shady between the buildings.

JKP motioned to issue a Certificate of Compliance for 16 Ocean Street. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

2 Broadway-No action

44 Lafayette Road-no action

100 Elm Street-no action

28 CCC Road-no action

20 Forest Road-MR stated he has done some work but work needs to be done. We will follow-up with him. **JKP** stated the area is still a mess.

126 N. End Blvd.-no action

7 Elmwood Street-no action

13 Commonwealth Avenue-no action

95R Lafayette Road-no action

457 North End Blvd.-no action

COMMISSIONERS COMMENT:

MC motioned to go to adjourn at 9:45 pm. **JPK** seconded the motion. All members present voted in favor. **Motion Passed.**